

ATTACHMENT YELLOW ZONE ORDERING PROCESS ("YZP") Optional Attachment to Appendix DSL

1. INTRODUCTION

- 1.1 This Attachment sets forth terms and conditions for the Yellow Zone Process ("YZP"), an optional ordering process for xDSL Capable Loops and the High Frequency Portion of the Loop (HFPL). This process is made available to CLEC as a voluntary offer as an alternative to **SBC-7STATE**'s existing ordering processes.
- 1.2 **Except as otherwise provided herein, the** rates terms and conditions of CLEC's Agreement pertaining HFPL and xDSL capable loops (such as related to Splitter Ownership and Responsibilities, Operational Support Systems, Facility Make-Up information, Provisioning, Testing, Maintenance & Service Assurance, Ordering, Pricing & Spectrum Management) shall remain unchanged and in Full Force and Effect.

2. DEFINITIONS

- 2.1 A "No Sync" situation after the completion of a YZP service order is defined by a CLEC experiencing a situation in which its DSLAM will not communicate (sync) with the customer premises

3. YZP OFFERING

- 3.1 CLEC will order eligible HFPL and xDSL Capable Loops using a generic loop 'As Is' specification code to identify the loop that may require conditioning. All LSRs for HFPL and xDSL Capable Loops submitted with the 'UALNQX' Specification Code and the 'YZP' notation will initially receive a minimum three (3) business day service provisioning due date for HFPL, and a minimum five (5) business day service provisioning due date for xDSL Capable Loops. Once the order has been completed, and if a No Sync situation, as defined herein, is determined by CLEC, CLEC must choose one of two options:

OPTION 1: Generate a trouble ticket with Local Operations Center (LOC), and identify it either as a straight 'No Sync' type YZP ticket, OR as a YZP related conditioning trouble ticket. The LOC will resolve the No Sync situation either by addressing non-conditioning related reason for the No Sync, and/or by conditioning the facility as needed (remove load coils, excessive bridge taps, etc). On YZP related Trouble Tickets, a zero plus five (0 + 5) business day interval will be offered after the line has been determined to need conditioning.

For **SWBT ONLY**. On loops with actual lengths between 12 Kft and 17.5 Kft, if the loop has been ordered as YZP, SWBT will use that YZP designation and the CLEC opening a trouble ticket, as authorization from CLEC for SWBT to condition the loop. CLEC will then be billed the appropriate conditioning charges pursuant to the Agreement.

For **PACIFIC BELL and NEVADA BELL ONLY**. On loops with actual lengths between 12 Kft and 17.5 Kft, Pacific Bell or Nevada Bell will obtain approval for conditioning from CLEC on a loop specific basis, prior to carrying out the conditioning work. If CLEC approves conditioning CLEC will then be billed the appropriate conditioning charges, after completion of the conditioning work.

OPTION 2: Cancel the Order by issuing an LSR to Disconnect the circuit.

- 3.2 YZP ordering is not available in conjunction with a combination of network elements known as the platform or UNE-P (including loop and switch port combinations) or unbundled local switching or any arrangement where **SBC-7STATE** is not the retail service provider.
- 3.3 The CLEC will provide **SBC-7STATE** with the type of technology it seeks to deploy, at the time of ordering, including the PSD of the technology the CLEC will deploy. If the technology does not have a PSD mask, then the YZP process will not be applicable.
- 3.4 The YZP process only applies to HFPL and xDSL capable loop where the loop length is between 0 and 17.5 Kft.
- 3.5 The initial YZP service order must have completed and closed prior to the opening of the YZP trouble ticket, when a “No Sync” situation is detected by CLEC.

4. TESTING

- 4.1 **SBC-7STATE** will not perform Line Sharing Turn-Up Testing prior to the completion of a HFPL ordered using the YZP process.
- 4.2 Acceptance Testing – CLEC CANNOT request Acceptance Testing (AT) with HFPL orders using YZP.
- 4.3 Acceptance Testing (for xDSL Capable Loops orders) – CLEC, when using YZP for provisioning xDSL-capable loops CANNOT request Acceptance Testing with such orders.

- 4.4 Cooperative Testing - For xDSL Capable Loops, CLEC has the option of requesting a Cooperative Test, pursuant to the rates, terms and conditions of the Agreement, at the time they are opening the YZP trouble Ticket.
- 4.5 Cooperative Testing - CLEC CANNOT request a Cooperative Test on HFPL ordered under YZP at the time they are opening the YZP Trouble Ticket.
- 4.6 ALL YZP order related initial Trouble Tickets (TTs) opened by CLEC will require load coil and/or other interferor information on that loop to be provided by the CLEC technician at the time of opening the TT. The CLEC will therefore have to ensure that their field technician is equipped with the appropriate test sets that can detect and detail the presence and location of load coils, bridge tap and repeaters. (see Maintenance/Service Assurance Section 6.8, 6.9 and 6.10 for more detail).

5. MAINTENANCE /SERVICE ASSURANCE

- 5.1 **SBC-7STATE** will provide resolution of CLEC-referred YZP trouble tickets for the HFPL and xDSL Capable Loops in parity with repair intervals **SBC-7STATE** provides to its advanced services affiliates.
- 5.2 Prior to opening the YZP trouble ticket, CLEC must verify the DSLAM is built properly, as well as check the logical translations, perform a loop back from DSLAM, insure proper routing, profile, and modem settings. The dispatched CLEC Technician must confirm that the problem is not CLEC related. If a YZP trouble ticket is opened, and it is later determined by **SBC-7STATE** to be a 'No Trouble Found' (NTF), or if the trouble is found in the CLEC's network or CLEC related, **SBC-7STATE** will charge CLEC a penalty on a Time and Materials basis, per applicable tariffed rates.
- 5.3 CLECs can open a YZP related Trouble Ticket by the following methods:
 - 5.3.1 Calling the Local Operations Center and opening a manual ticket through the call center. The CLEC technician should identify that the original order was YZP related and whether this trouble ticket is a conditioning trouble ticket or not.
 - 5.3.2 Opening an electronic bonding ticket - If the trouble ticket is opened by an electronic bonding ticket, CLEC needs to place that this is a YZP related trouble ticket in the remarks field.
 - 5.3.3 **SWBT ONLY.** The identification of a possible conditioning related trouble by CLEC will allow the LOC to convert it to a YZP conditioning type ticket immediately. Potential non-conditioning

causes for Physical fault will be checked. However, if the ticket is not opened as a possible conditioning ticket, the SWBT LOC will handle the tickets per the Present Method of Operation for all Repair tickets and look for physical faults. If no fault is found the LOC will notify CLEC to conduct the Sync test. If it does not sync, CLEC will have to open another trouble ticket to address any conditioning required.

- 5.4 **SWBT ONLY.** When a YZP related trouble ticket is opened by CLEC and the line is determined to need conditioning, a 5 business day interval will be given. Trouble ticket status will be provided as follows:

- 5.4.1 If the trouble ticket is opened electronically (via ToolBar), as a straight 'No Sync type YZP ticket, an electronic status will be available after 24 hours. If it is determined by **SWBT** that the trouble is conditioning related, the straight 'No Sync' trouble ticket will be converted to a YZP conditioning ticket.
- 5.4.2 If the trouble ticket is opened with a live call to the **SWBT LOC** (whether as a straight 'No Sync' ticket or as a 'conditioning Requested ticket) there will be no separate ticket status provided until the trouble has been resolved and CLEC is notified of the ticket's closure.
- 5.4.3 If the trouble ticket is opened as a Conditioning Requested ticket, for a loop of actual loop length between 12Kft and 17.5 Kft, and it requires conditioning as verified by SBC, and the loop has been ordered as YZP, **SBC-SWBT** will use that YZP designation and the initiation of the trouble ticket by the CLEC as approval for line conditioning and the loop will be conditioned by construction and engineering. The CLEC will then be billed the appropriated conditioning charges upon the completion of the conditioning.
- 5.4.4 If the trouble ticket is opened as a Conditioning Requested ticket, for a loop of actual loop length between 12Kft and 17.5 Kft, and it requires conditioning as verified by SBC, and the loop has been ordered as YZP, **SBC-SWBT** will use that YZP designation and the initiation of the trouble ticket by the CLEC as approval for line conditioning and the loop will be conditioned by construction and engineering. The CLEC will then be billed the appropriated conditioning charges upon the completion of the conditioning.
- 5.4.5 If the trouble ticket is opened as a Conditioning Requested ticket, for a loop of actual loop length between 0Kft and 12 Kft, and it requires conditioning as verified by SBC, CLEC will be contacted and provided with status after the conditioning work is completed.

If the loop is conditioned outside of **SBC-SWBT** parameters (any bridge tap less than 2500 ft total or 2000 ft single that is removed) CLEC will then be billed the appropriate conditioning charges.

- 5.4.6 If the trouble ticket is originally opened as a straight 'No Sync' type ticket, and it is later determined by **SBC-SWBT** to be a conditioning related problem, and therefore converted to a YZP conditioning ticket, rules 5.4.4 or 5.4.5 as stated above will apply, depending on the loop length. A 0 + 5 day interval will be offered to complete the conditioning of the loop.
- 5.4.7 **(PACBELL & NEVADA BELL ONLY)**. Prior to opening the YZP trouble ticket, CLEC must verify the DSLAM is built properly, as well as check logical translations, loop back from DSLAM, proper routing, profile and modem settings. The dispatched CLEC Technician must confirm that the problem is not CLEC related. If a YZP trouble ticket is opened, and it is later determined by **SBC-PB/NB** to be a 'No Trouble Found' (NTF), or if the trouble is found in the CLEC's network or CLEC related, PB will charge CLEC customer a penalty per applicable rates.
- 5.4.8 When a YZP related trouble ticket is opened by CLEC with the LOC, it will initially be treated as a standard, repair ticket, with a 4 hour interval. If no physical faults are found, then CLEC will be notified and given a 0 + 5 business day interval for completion of the conditioning work required, as verified by SBC. If a physical fault is found and resolved for the initial YZP trouble ticket, the trouble ticket will be closed and CLEC notified, unless the ticket was initially classified as a conditioning related YZP ticket. Trouble ticket status will be provided as follows:
- 5.4.8.1 If the trouble ticket is opened electronically, an electronic acknowledgement status will be available within 24 hours. If the trouble ticket is opened with a live call to the LOC, there will be no separate ticket status provided until the trouble has been resolved and CLEC is notified of the ticket's closure, with the exceptions noted below.
- 5.4.8.2 If the ticket is for a loop of actual loop length between 12Kft and 17.5 Kft, and it requires conditioning, CLEC will be contacted when the conditioning detail is available, with the revised conditioning interval (0 + 5 Bus. Days) and for approval to proceed with CLEC paid conditioning charges. At this stage, CLEC may request a disconnect to cancel the order.

- 5.4.8.3 If the trouble ticket is opened as a Conditioning Requested ticket, for a loop of actual loop length between 0Kft and 12 Kft, and it requires conditioning as verified by PB, CLEC will be notified of the new interval commitment date (0 + 5 Business days) and will be provided with status after the conditioning work is completed. If the loop is conditioned outside of **SBC-PB/NB** parameters (any bridge tap less than 2500 ft total or 2000 ft single that is removed) CLEC will be billed the appropriate conditioning charges.
- 5.4.8.4 If the trouble ticket is originally opened as a straight 'No Sync' type ticket, and it is later determined by **SBC-PB/NB** to be a conditioning related problem, and therefore converted to a YZP conditioning ticket, rules 5.4.10 or 5.4.11 as stated above will apply, depending on the loop length. A revised 0 + 5 day interval will be given to condition the line.
- 5.5 In all cases, the **SBC-7STATE** LOC will notify CLEC as soon as the trouble is resolved, whether it is conditioning related or not.
- 5.6 Escalations for YZP trouble tickets will follow the existing procedures, as there are no YZP specific escalation procedures **SBC-7STATE**.
- 5.7 If CLEC intends to open a Trouble Ticket for a completed YZP order that does not sync, the CLEC must open the Trouble Ticket within 30 calendar days of the completion of the original YZP service order. If the Trouble Ticket is opened after 30 calendar days, then the terms, conditions and rules governing the YZP process will not apply. The CLEC will be referred to the LSC for a new LSR to be issued to condition the line.
- 5.8 With permanent YZP, ALL YZP order related initial Trouble Tickets (TTs) opened by the CLEC will require load coil and/or other interferer information on that loop to be provided by the CLEC technician at the time of opening the TT. The CLEC will therefore have to ensure that their field technician is equipped with the appropriate test sets that can detect and detail the presence of the following:
- 5.8.1 The number and location of Load Coils
 - 5.8.2 The number and location of Repeaters, if any
 - 5.8.3 The number of sections of Bridged Tap, and their lengths and locations
- 5.8.4 **SBC-7STATE** will not specify to any CLECs the type of test equipment or the specific tests to use for determining the presence of disturbers– the

YZP participating CLEC will determine their own test requirements and capabilities such as Sunrise test sets, or through a remote monitoring capability like Hykemian, and using tests such as Time Domain Reflexometric (TDR) and Spectrum Analysis. In order to resolve the trouble quickly and efficiently, **SBC-7STATE** requires valid and dependable data on the number, length and location of interferors on the loop.

- 5.9 There will be a flat rated Maintenance Service Charge to CLEC associated with any YZP related trouble ticket dispatch, if no trouble is found (NTF) in **SBC-7STATE**'s portion of the network. This charge will also apply when loop specific interferor information is provided to **SBC-7STATE** but is found to be incorrect upon subsequent investigation during the trouble ticket resolution process. If a retrip is involved with a YZP Trouble ticket (based on CLEC input of loop not working properly after initial trouble resolution), and a NTF in SBC's network is determined, this maintenance charge will apply as well. If the need for a vendor meet is established, and if CLEC technician is not equipped properly at the vendor meet site, CLEC will be liable for the trip/dispatch charge. The amount of the penalty will be governed by the applicable commission ordered tariff rate.

6. RESERVATION OF RIGHTS

- 6.1 The Parties acknowledge and agree that the provision of the YZP Process and associated rates, terms and conditions set forth above are subject to any legal or equitable rights of review and remedies (including agency reconsideration and court review). If any reconsideration, agency order, appeal, court order or opinion, stay, injunction or other action by any state or federal regulatory body or court of competent jurisdiction stays, modifies, or otherwise affects any of the rates, terms and conditions herein, specifically including those arising with respect to Federal Communications Commission orders (whether from the Memorandum Opinion and Order, and Notice of Proposed Rulemaking, FCC 98-188 (rel. August 7, 1998), in CC Docket No. 98-147, the FCC's First Report and Order and Further Notice of Proposed Rulemaking, FCC 99-48 (rel. March 31, 1999), in CC Docket 98-147, the FCC's Third Report and Order and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 96-96 (FCC 99-238), including the FCC's Supplemental Order issued *In the Matter of the Local Competition Provisions of the Telecommunications Act of 1996*, in CC Docket 96-98 (FCC 99-370) (rel. November 24, 1999) ("the UNE Remand Order"), or the FCC's 99-355 Third Report and Order in CC Docket No. 98-147 and Fourth Report and Order in CC Docket No. 96-98 (rel. December 9, 1999), or any other proceeding, the Parties shall negotiate in good faith to arrive at an agreement on conforming modifications to this Appendix. In the event that

the FCC, a state regulatory agency or a court of competent jurisdiction, in any proceeding, based upon any action by any telecommunications carrier, finds, rules and/or otherwise orders ("order") that the UNEs and/or UNE combinations provided for under this Agreement, if any, do not meet the necessary and impair standards set forth in Section 251(d)(2) of the Act, the affected provision will be invalidated, modified or stayed as required to immediately effectuate the subject order upon written request of either Party. In such event, the Parties shall expend diligent efforts to arrive at an agreement on the modifications required to the Agreement to immediately effectuate such order. If negotiations fail, disputes between the Parties concerning the interpretation of the actions required or the provisions affected shall be handled under the Dispute Resolution procedures set forth in this Agreement.

7. TERMINATION

- 7.1 Either party may terminate this Attachment upon 30 day written notice to the other party.